

EPA 2684

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/929,979
Filing Date	August 15, 2001
First Named Inventor	Noah J. Temullo
Art Unit	2684
Examiner Name	Alan T. Gantt
Attorney Docket Number	12078-141

### ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Supplemental IDS Letter; Form PTO-1449; copies of references (4); check-\$180; return postcard.
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Perkins Smith & Cohen LLP		
Signature			
Printed name	Jacob N. Erlich		
Date	February 25, 2005	Reg. No.	24,338

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Jacob N. Erlich	Date	February 25, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180.00)

## Complete if Known

Application Number	09/929,979
Filing Date	August 15, 2001
First Named Inventor	Noah J. Ternullo
Examiner Name	Alan T. Gant
Art Unit	2684
Attorney Docket No.	12078-141

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None

Deposit Account: (deficiencies only)

Deposit Account Number: 03-2410 (Order 12078-141)  
Deposit Account Name: Perkins Smith & Cohen LLP

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>		(\$ 0)	

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			- 3** =	X	=

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 88	2204 44	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>		(\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity Small Entity

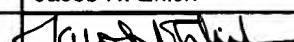
Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	180.00
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ 180.00)

(Complete if applicable)

Name (Print/Type)	Jacob N. Erlich	Registration No. (Attorney/Agent)	24,338	Telephone	617-854-4000
Signature		Date	February 25, 2005		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: February 25, 2005.

Jacob N. Erlich  
Reg. No. 24,338

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Noah J. Ternullo et al.

Confirm. No. 2164

Application Serial No. 09/929,979

Group Art Unit: 2684

Filed: August 15, 2001

Examiner: Alan T. Gantt

Title: METHOD AND APPARATUS FOR DETERMINING THE CONTEXT OF A  
HANDHELD DEVICE

PERKINS SMITH & COHEN LLP  
One Beacon Street, 30<sup>th</sup> Floor  
Boston, Massachusetts 02108  
(617) 854-4000

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

This Supplemental Information Disclosure Statement (Form PTO-1449) is submitted under 37 CFR 1.97(c)(2), including copies of the cited references. The required fee of \$180.00 is enclosed herewith. In addition, The Commissioner for Patents is authorized to charge any additional fees or credit overpayment to Deposit Account No. 03-2410, Order No. 12078-141.

The following information is presented in the event that a call may be deemed desirable by the Examiner:

JACOB N. ERLICH (617) 854-4000.

Respectfully submitted,  
Noah J. Ternullo et al., Applicants

Dated: February 25, 2005

By:

Jacob N. Erlich  
Reg. No. 24,338  
Attorney for Applicants



**FORM PTO-1449**  
**U.S. DEPARTMENT OF COMMERCE**  
**PATENT AND TRADEMARK OFFICE**

APPLICATION SERIAL NO.: 09/929,979

GROUP ART UNIT: 2684

APPLICANT: Noah J. Ternullo et al.

EXAMINER: Alan T. Gantt

FILING DATE: August 15, 2001

CONFIRMATION NO.: 2164

RE: METHOD AND APPARATUS FOR DETERMINING THE CONTEXT OF A  
HANDHELD DEVICE

**U.S. PATENT DOCUMENTS**

EXAMINE R INITIAL	DOCUMENT NO.	DATE	NAME	CLASS/SUB-CLASS	FILING DATE IF APPROPRIATE
	5,260,938	11/9/1993	Hofmann	370/269	5/21/1991
	5,873,045	2/16/1999	Lee et al.	455/556.2	10/29/1997
	6,101,486	8/8/2000	Roberts , et al.	705/27	4/20/1998
	6,643,510	11/4/2003	Taylor	455/431	8/29/2001*

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS/SUB-CLASS	TRANSLATION YES NO

**OTHER DOCUMENTS**  
**(Including Author, Title, Date, Pertinent Pages, etc.)**

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\* These patents are representative of the state of the art but published after or less than one year prior to Applicant's priority date. Therefore, if any such item is considered sufficiently relevant by the Examiner to the present invention, its possible "prior art" status against the present invention should be considered individually allowing for the prospect of swearing back or other priority determination.

EXAMINERDATE CONSIDERED